

Earlier today, the House voted on the Cyber Intelligence Sharing and Protection Act of 2013, commonly known as CISPA. The legislation aimed to implement a national response strategy to the dangerous cyber security threat that our country faces on a daily basis. This threat has the potential to be a weapon of mass disruption and must be taken seriously. It is for this reason that I have strongly advocated in Congress for swift action on this issue.

In particular, as the Congressman representing the heart of Silicon Valley and as a member of the Commerce Justice Science Appropriations subcommittee, I know firsthand the serious need for legislation that bolsters cyber security cooperation in our country. Cyber attacks represent a cumulative national security and economic threat unlike any we've ever seen and require a similar cooperative response.

Like many things in this new world we live in, however, our nation must decide on where to draw the line when it comes to protecting privacy while enhancing security. In the pursuit of safety and protection, we must be sure to not give up the fundamental rights embodied in our Constitution. Over the past year, I have been working with my colleagues to try to change CISPA so that both privacy and security are respected. Unfortunately, despite numerous attempts, we were unable to get the legislation to the middle-ground that I think all Americans truly want, in time before the bill was brought up for a vote. I am especially disappointed that the House Republican majority played politics on what should have been a bi-partisan issue, by disallowing several key privacy amendments to be brought to the floor that could have resolved many of the concerns about the bill.

In light of this situation, I joined my fellow Silicon Valley House colleagues, 124 other bi-partisan Members of the House, President Obama, and several technology advocates in opposing the legislation today. This vote was one of the most difficult decisions I have had to make during my time in Congress. On one hand, I recognize the urgency of the threat and the importance of taking action. I understand the unique impact that cyber security plays in Silicon Valley and its importance to our livelihood in the region. On the other hand, however, I believe that our nation must take reasonable steps to protect its individual citizens from having their privacy breached.

My concerns about the bill primarily revolved around three issues:

1. The sharing of personally identifiable information (PII) directly with the government without that information being scrubbed first by the sharing entity;

2. Overly broad definitions on the second-hand use of that information by government agencies. As currently constituted in CISPA, information shared with the government for cyber security purposes can be re-used for other purposes, including a very broad allowance for 'protecting individuals from danger of death or bodily harm; and
3. The lack of focus on critical infrastructure in the bill

This vote was not the last time that Congress will be considering CISPA, and I aim to continue pushing for improving the bill in these three areas as it moves on to the Senate and to conference with the House. I want to find a way to yes on this legislation because I believe inaction is not an option and will have devastating consequences, but we must be sure to protect the privacy of law abiding Americans.